

COMMUNITY RELATIONS: USE OF FACILITIES

Use of School Facilities

I. [Philosophy and ]Purpose

- A. Baltimore County Public Schools (BCPS) is dedicated to providing quality educational/instructional opportunities, products, and services for students and the community beyond the regular instructional school day. The Department of Physical Facilities is responsible for managing the safe and appropriate use of public school facilities in collaboration with school-based administrators.
- B. GUIDELINES GOVERNING THE USE OF BCPS SCHOOL FACILITIES ARE CONTAINED IN THE DEPARTMENT OF PHYSICAL FACILITIES' *USE OF FACILITIES MANUAL*.

II. REQUIREMENTS [Use of School Facilities and/or Grounds by Groups and Organizations

- A. Space in BCPS facilities and/or grounds may be used by the Baltimore County Department of Recreation and Parks; the Community College of Baltimore County (CCBC); Parent-Teacher (Student) Associations (PTSA); other county, state, and federal agencies; and other groups and organizations.
- B. All groups and organizations must complete an application for use of facilities and/or grounds for each planned activity or event.
- C. An application for use of school facilities and/or grounds will be evaluated based on the following criteria in priority order:
  - 1. BCPS curricular or extracurricular programs or facility operations related activities.
  - 2. PT(S)A business meetings and educational programs (does not include PTA sponsored events such as fairs, socials, fundraisers, etc.)
  - 3. Activities sponsored by the Baltimore County Department of Recreation and Parks and its affiliated community recreation councils consistent with the terms incorporated in the Joint Use Agreement.
  - 4. Continuing education programs sponsored by CCBC at the sites

identified in the Memorandum of Understanding (MOU) between CCBC and BCPS.

- a. The Department of Student Support Services will work with CCBC to develop protocols for the MOU, which will be reviewed and revised as necessary at least every 10 years.
  5. Other county, state, and federal agencies.
  6. PT(S)A sponsored events such as fairs, socials, fundraisers, etc.
  7. Non-profit organizations with a valid determination by the U.S. Internal Revenue Service (IRS) code 501(C) Certified Organizations.
  8. Other approved users. ]
- A. Applicants will be REQUIRED [asked] to provide the following DOCUMENTATION AS PART OF THE [information that may be used in the review of their] application, EXCEPT AS PROVIDED BELOW:
1. Articles of Incorporation or Association.
  2. Certificate of Insurance.
    - a. THE CERTIFICATE OF INSURANCE REQUIREMENT IS WAIVED FOR MEETINGS OF LESS THAN 50 INDIVIDUALS.
  - [3. IRS Proof of Non-profit Status - 501 (c) Federal Tax Exempt status.]
  3. [4.] Completed *Indemnification and Insurance Requirement* Form.
    - a. THE *INDEMNIFICATION AND INSURANCE REQUIREMENT* FORM REQUIREMENT IS WAIVED FOR MEETINGS OF LESS THAN 50 INDIVIDUALS.
  4. [5.] Other applicable permits or licenses.

[III. Conditions of Use

- D. Groups and organizations must comply with all BCPS policies, rules, and regulations when using school buildings and/or grounds. Failure to ensure compliance by all participants and attendees in the activity may result in immediate denial of an application or revocation of an approved permit.
- E. The following activities are not permitted:

1. The use, sale, or possession of alcoholic beverages.
  2. The use, sale, or possession of illegal drugs.
  3. The use or sale of any form of tobacco.
  4. The use of obscene and/or abusive language.
  5. Raffles, quarter auctions, and all other games of chance (for bingo, see Section III. D).
  6. Any activity likely to provoke or add to a public disturbance.
  7. Any activity determined to expose BCPS, its property, staff, students, and all individuals/businesses with whom the school system has a relationship to risk of damage, loss, and/or bodily harm.
  8. Animals in facilities and/or grounds are prohibited including animal shows, circus training, obedience classes, exhibits, etc. exception: an animal required to meet ADA regulations to support an individual accommodation.
  9. Activities that are personal in nature such as birthday parties, anniversary celebrations, wedding receptions, and other similar activities.
  10. Temporary or permanent alterations or changes to physical structure of BCPS buildings and grounds.
  11. Posting of political circulars or petitions and the use of school or office resources to conduct political activity.
  12. Other activities prohibited by BCPS' policy, rule, or procedures.
- F. Child care providers must execute a lease agreement issued by the Office of Purchasing and may only accept school-aged children enrolled in the school housing the child care program.
- G. Family Bingo Event
1. An applicant, for a family bingo event, will obtain a bingo license, as

required, from the Baltimore County Department of Permits and Development Management or its successor or other designated county office and comply with all permits and development management rules and regulations, except with regard to the award of any cash prizes.

2. An applicant recognizes that the primary purpose of a family bingo event, as discussed in this rule, is to further support BCPS' educational mission or a valid civic purpose along with the relationship that the applicant has with BCPS in support of that mission.
  3. An applicant entity and its members must personally manage, operate, and conduct all aspects of the family bingo event. The entity and/or its members may not divert, pay or share, or in any way provide for personal use any of the monies derived from a family bingo event with any person, organization, and/or business entity and may not use the proceeds except for the direct support of the educational mission or valid civic purpose for a school or school system function.
  4. No cash prizes will be awarded for bingo; the estimated cash value of non-cash prizes awarded shall not be greater than \$500.00.
- H. A reasonable admission or other fee may be charged by the sponsoring entity; all monies derived from such admission may only be used for the direct support of the educational mission or valid civic purpose of the school, school community, or school system.
- I. Approved users may not sublease or rent BCPS facilities and grounds to any other parties.
- J. Applicants intending to charge admissions or fees in connection with the proposed use of a BCPS facility and/or grounds may be required to submit an activity budget. Any third party relationships must be disclosed and must have a clear alignment to the mission and goals of the applicant organization and proposed use.
- K. Approval of requests and the assessment of fees for the use of facilities and/or grounds will be dependent upon the following criteria:
1. Availability of space on the dates and during the times requested.

2. Priority of users according to the list in item II.C above.
3. The proposed activity may not conflict with any maintenance, operations, or construction activities scheduled by the Department of Physical Facilities.
4. The proposed activity's compatibility with the educational space and the designed use and purpose of buildings and grounds.
5. The proposed activity may have no potential for physical degradation of buildings and grounds and no adverse impact on traffic patterns, pedestrian safety, and availability of parking.
6. Compliance with all occupancy, fire, health, safety, and capacity codes including local, state, and federal laws, rules, and regulations that govern the proposed activity and BCPS facilities.
7. Provision of adequate insurance certificate and compliance with all insurance requirements.
8. Assessment of proposed activity for potential property damage, loss, and/or bodily harm.
9. Verification of applicant's 501(C) status with the IRS and certificate of good standing with the Maryland Department of Assessments and Taxation.
10. Documentation of crowd management training for indoor activities involving 50 or more people in accordance with the State of Maryland fire code.
11. Assessment of provision of an appropriate and adequate plan for facility and/or grounds clean up and restoration plans for proposed activity.
12. Evaluation and approval by the Office of Food and Nutrition of activities involving any preparation of food, serving of food, or concessions on-site.
13. Proposed activities must be open to all individuals and not discriminate in anyway on the grounds of race, color, religion, creed,

sex, national origin, age, or disability.

- L. Permission for the use of a school facility and/or grounds, by any outside group, for the purpose of providing educational/instructional opportunities, products, and services for students beyond the regular school day will be recommended through the Divisions of Business Services and Curriculum and Instruction.
  - 1. When a program, service, or product is recommended by a BCPS school or office, the Office of Purchasing may issue and evaluate a Request for Proposals (RFP) from interested providers.
  - 2. Information to be submitted shall include:
    - a. Objective of the program(s), service(s), or product(s).
    - b. Educational program syllabus, a detailed product(s) or service(s) description.
    - c. Explanation of how the product(s) or service(s) will be evaluation.
    - d. Fees for the product or service.]

III. EMERGENCY CLOSURES, DELAYS, AND CANCELATIONS [Inclement Weather]

- A. When schools are closed all day, [or] FOR A PORTION OF THE DAY through the declaration of an early dismissal, or FOR A PORTION OF THE DAY THROUGH THE DECLARATION OF A late opening [due to ]AS THE RESULT OF inclement weather or ANY other unplanned emergency, all [school-related and outside group and organization] activities, INCLUDING planned use of the buildings and grounds BY OUTSIDE GROUPS OR ORGANIZATIONS, [including] after-school activities, evening classes, before- and after-school child care programs, professional staff meetings, board meetings, and other countywide school system events, are automatically cancelled except as noted in Superintendent’s Rule 6303, [Unplanned or Emergency Closures] *EMERGENCY CLOSURES, DELAYS, AND CANCELLATIONS, AND THE DEPARTMENT OF PHYSICAL FACILITIES’ USE OF FACILITIES MANUAL.*

Legal References: 29 U.S.C. §794, *SECTION 504 OF THE REHABILITATION ACT OF 1973*  
42 U.S.C. §§ 12101-12213 (2000), *AMERICANS WITH DISABILITIES ACT OF 1990 (ADA)*  
42 U.S.C. §2000D, *ET SEQ., TITLE VI OF CIVIL RIGHTS ACT OF 1964, AS AMENDED*  
28 CFR PART 35, *NONDISCRIMINATION ON THE BASIS OF DISABILITY IN STATE AND LOCAL GOVERNMENT SERVICES*  
*Annotated Code of Maryland, Education Article, §7-108, Use of School Property for Other than School Purposes – In General*  
*Annotated Code of Maryland, Education Article, §7-109, Use of School Property for Other than School Purposes – Priority for Day Care Program*  
*Annotated Code of Maryland, Education Article, §7-110, Charges for Use and Liability for Damages*  
COMAR 13A.02.04, *Tobacco-Free School Environment Authority*  
COMAR 29.06.01, *Fire Prevention Code Authority: Public Safety Article*

[Related Policies: Board of Education Policy 1210, *Relationship with Parent-Teacher (Student) Associations*  
Board of Education Policy 2352, *Health and Safety*  
Board of Education Policy 2370, *Conduct*  
Board of Education Policy 2372, *Tobacco*  
Board of Education Policy 3125, *School Activity Funds*  
Board of Education Policy 3130, *Relationships with Private Business for Purpose of Providing Products or Services to Students*  
Board of Education Policy 3160, *School-Sponsored Activities*  
Board of Education Policy 3530, *Safety and Security*  
Board of Education Policy 6301, *School Calendar*  
Board of Education Policy 8363, *Conflict of Interest*]

Rule

Superintendent of Schools

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**[BALTIMORE COUNTY PUBLIC SCHOOLS  
Guidelines & Application for Use of School Facilities**

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**Introduction:**

Baltimore County Public Schools (BCPS) is dedicated to providing quality educational/instructional opportunities, products, and services for students and the community beyond the regular instructional school day. The Department of Physical Facilities is responsible for managing the safe and appropriate use of BCPS facilities in collaboration with school-based administrators.

**Use of School Facilities and/or Grounds by Groups and Organizations:**

Use of school facilities and/or grounds for BCPS curricular and extracurricular programs and facility construction, maintenance, and operations related activities is the school system's first priority. BCPS reserves the right to deny a request or revoke a permit that has been issued to a group or organization should the activity interfere with this objective. All other requests from groups and organizations will be evaluated based on the following priority order:

1. PT(S)A business meetings and educational programs (does not include PTA sponsored events such as fairs, socials, fundraisers, etc.)
2. Activities sponsored by the Baltimore County Department of Recreation and Parks and its affiliated Community Recreation Councils consistent with the terms incorporated in the Joint Use Agreement.
3. Continuing Education programs sponsored by CCBC at the sites identified in the Memorandum of Understanding between CCBC and BCPS.
4. Other county, state, and federal agencies.
5. PT(S)A sponsored events such as fairs, socials, fundraisers, etc.
6. Non-profit organizations with verifiable IRS code 501(c) certification.
7. Other approved users.

Applicants will be asked to provide the following information that may be used in the review of their application:

- Articles of incorporation or association.
- Certificate of insurance.
- Proof of non-profit, federal tax exempt status as defined by IRS code 501(c).
- Completed indemnification and insurance requirement form.
- Other applicable permits or licenses.

**Conditions of Use**

Groups and organizations must comply with all Board of Education Policies, Rules, and regulations when using school buildings and grounds. Failure to ensure compliance by all participants and attendees in the activity may result in immediate denial of an application or revocation of an approved permit.

Groups and organizations must provide adequate supervision of all people involved in the activity. Custodians and/or other BCPS personnel shall not be required to assume responsibility for supervision of participants.

Groups and organizations must provide notice of cancellations to the school at least seventy-two hours in advance. If the activity is cancelled after the custodian has arrived for duty, a minimum of four hours of employee time will be assessed as a cancellation fee.

Groups or organizations shall leave the facility in the condition in which it was first entered. Failure to do so may result in immediate revocation of usage permit.

The following activities are not permitted:

- The use, sale, or possession of alcoholic beverages.
- The use, sale, or possession of illegal drugs.
- The use or sale of any form of tobacco.
- The use of obscene and/or abusive language.
- Raffles, quarter auctions, and all other games of chance. (For bingo, see below.)
- Any activity likely to provoke or add to a public disturbance.
- Any activity determined to expose BCPS, its property, staff, students, and all individuals/businesses with whom the school system has a relationship to risk of damage, loss, and/or bodily harm.
- Animals in facilities and/or on grounds are prohibited, including animal shows, circus training, obedience classes, exhibits, etc. except as required to meet ADA regulations to support individual accommodation.
- Activities that are personal in nature such as birthday parties, anniversary celebrations, wedding receptions, and other similar activities.
- Temporary or permanent alterations or changes to the physical structure of BCPS buildings and grounds.
- Posting of political circulars or petitions and the use of school or office resources to conduct political activity.
- Other activities prohibited by BCPS Policy, Rule, or procedures.

Approved users may not sublease or rent BCPS facilities and/or grounds to any other parties. All third-party relationships must be disclosed and must have a clear alignment to the mission and goals of the applicant organization and proposed use.

A reasonable admission or other fee may be charged by the sponsoring entity. All monies derived from admission fees may only be used for the direct support of the educational mission or valid civic purpose of the school, school community, or school system. Applicants intending to charge admissions or fees may be required to submit an activity budget.

A permit for use of BCPS facilities and/or grounds does not represent authorization from any other agency that may require a permit, certification, or approval. Applicants must seek separate permits, certificates, and approvals as required and may be required to provide them as a condition of their application.

A permit for use specifically excludes use of machines, furniture, equipment, or storage space. Such use must be expressly requested and granted as part of the application process.

Applicants will be assessed a fee based on the proposed activity's impact on the facility and/or grounds and related custodial needs. A minimum number of hours for weekend staff coverage may apply.

Groups and organizations agree for themselves, those organization they represent, and/or those entities involved in the use of school facilities

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and/or grounds that they individually and jointly shall indemnify, hold harmless, and defend the Board of Education and its elected and appointed officials, consultants, agents, and employees from any and all loss, damage, liability, or expense (including attorney's fees) that may arise from or be caused in any way by any and all uses, users, use, activities, or occupancy of the facilities, property, and/or grounds owned and operated or maintained by the Board of Education.

Groups and organization and the individuals making application for use specifically agree to reimburse the Board of Education for any and all repairs or liability (other than normal wear and tear) that become necessary as a result of this use of facilities.

Access to the Automatic External Defibrillator in school and office buildings is not guaranteed.

## Criteria

Granting of permits and the assessment of fees for the use of facilities and/or grounds will be dependent upon the following criteria:

- Availability of space on the dates and during the times requested.
- Priority of users according to the list above.
- The activity must not conflict with any scheduled maintenance, operations, or construction activities
- The activity's compatibility with the educational space and the designed use and purpose of buildings and grounds.
- The activity must present no potential for physical degradation of buildings and grounds and no adverse impact on traffic patterns, pedestrian safety, and availability of parking.
- Compliance with all occupancy, fire, health, safety, and capacity codes including local, state and federal laws, rules, and regulations that may govern the proposed activity and BCPS facilities.
- Compliance with all insurance requirements and provision of adequate insurance certificate.
- Assessment of proposed activity for potential property damage, loss, and/or bodily harm.
- Verification of applicant's good standing with the Maryland Department of Assessments and Taxation and the IRS.
- Documentation of crowd management training for indoor activities involving 50 or more people in accordance with the state of Maryland fire code.
- Provision of an appropriate and adequate plan for facility and/or grounds clean-up and restoration.
- Evaluation and approval by the Office of Food and Nutrition Services of activities involving the preparation of food, serving of food, or concessions on-site.
- Proposed activity must be open to all individuals and not discriminate in any way on the grounds of race, color, religion, creed, sex, national origin, age, or disability.

## Inclement Weather

When schools are declared to be opening late, closing early, or closed all

day due to inclement weather or other unplanned emergency, all school related and outside group/organization planned use of BCPS buildings and grounds, including after-school activities, evening classes, before- and after-school child care programs, professional staff meetings, board meetings, and other countywide school system events, are automatically cancelled except as noted in Superintendents Rule 6303, *Unplanned or Emergency Closures*.

## Provisions for Use of Facility for Distribution of Programs, Products, or Services

Permission for the use of a school facility and/or grounds by an outside group for the purpose of providing educational/instructional opportunities, products, and services for students beyond the regular school day will be recommended through the divisions of Business Services and Curriculum and Instruction.

When a program, service or product is recommended by a BCPS school or office, the office of purchasing may issue and evaluate requests for proposals (RFP) from interested providers. Information to be submitted shall include:

- Objective of the program(s), service(s), or product(s)
- Educational program syllabus, a detailed product(s) or service(s) description  
Explanation of how the product(s) or service(s) will be evaluated
- Fees for the product(s) or service(s).

## Provisions for Child Care

Child care providers must execute a lease agreement issued by the office of purchasing and may only accept school-aged children enrolled in the school that houses the child care program.

## Provisions for Family Bingo

The applicant for a family bingo event will obtain a bingo license, as required, from the Baltimore county department of permits and development management or its successor or other designated county office and comply with all permits and development management rules and regulations, except with regard to the award of any cash prizes.

The applicant recognizes that the primary purpose of a family bingo event is to further support the BCPS educational mission or other valid civic purpose along with the relationship that the applicant has with BCPS in support of that mission.

The applicant organization must personally manage, operate, and conduct all aspects of the family bingo event. The entity and/or its members may not divert, pay, or share or in any way provide for personal use any of the monies derived from a family bingo event with any person, organization, and/or business entity and may not use the proceeds except for the direct support of the educational mission or valid civic purpose of the school, school community, or school system.

No cash prizes will be awarded for bingo; the estimated cash value of non-cash prizes awarded shall not be greater than \$500.00.



